

RESOLUTION NO. 2005-135

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING  
MODIFICATION TO PROFESSIONAL SERVICES AGREEMENT  
WITH LSA ASSOCIATES, INC., AND FURTHER AUTHORIZING  
THE CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT  
TO INCREASE THE CONTRACT AMOUNT WHICH INCLUDES  
A CONTINGENCY

=====

WHEREAS, on May 4, 2005, the City Council authorized the execution of a contractual agreement with LSA Associates, Inc., in the amount of \$84,348 to provide professional services to process Frontiers Community Builders Development land use applications and related annexations; and

WHEREAS, consistent with the executed Scope of Work for this project, LSA reviewed the previously prepared administrative draft initial studies and mitigated negative declarations for the two annexation projects. Upon completion of this review and consultation with the City Attorney, City staff determined that an environmental impact report (EIR) should be prepared as the projects warranted additional analysis and would likely result in potentially significant impacts that were not adequately addressed in the Initial Study. City staff met with Frontiers, the applicant for both the Southwest and Westside Gateway annexation projects, to inform them that the City felt an EIR was warranted and Frontiers has agreed to fund the preparation of an EIR; and

WHEREAS, LSA has prepared a detailed scope of work and budget for preparation of an EIR based on consultation with City staff, which is included within the attached Modification to the Agreement for Professional Services. It is anticipated to take approximately six months to complete the EIR process; and

WHEREAS, the proposed contract modification will add \$216,505 to the previously executed \$84,348 contract, for a total contract amount of \$300,853. These added monies will cover costs directly associated with the preparation of the EIR for this project. The contract amendment also provides for a 10-percent contingency (\$21,651), should it be necessary, for unanticipated costs that are not included in total contract scope. City Manager authorization will be required prior to the use of any contingency funds.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve a modification to the City Professional Services Agreement with LSA Associates, Inc., for processing Frontiers Community Builders Development land use applications and related annexations, to now include the preparation of an Environmental Impact Report; and

BE IT FURTHER RESOLVED that the Lodi City Council hereby authorizes the City Manager to execute a contract amendment to increase the contract amount \$216,505; and

BE IT FURTHER RESOLVED that the Lodi City Council hereby approves an additional 10-percent contingency of \$21,651 for unanticipated costs which must be authorized by the City Manager prior to expending any contingency funds.

Dated: July 6, 2005

=====

I hereby certify that Resolution No. 2005-135 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 6, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, and  
Mayor Beckman

NOES: COUNCIL MEMBERS – Mounce

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
SUSAN J. BLACKSTON  
City Clerk

**WESTSIDE AND SOUTHWEST GATEWAY  
ANNEXATIONS AND DEVELOPMENT  
PROJECTS EIR**

**Scope of Work and Budget**

**L S A**

May, 2005

## **EXHIBIT A**

### **WESTSIDE AND SOUTHWEST GATEWAY ANNEXATIONS AND DEVELOPMENT PROJECTS EIR**

The City of Lodi is seeking consultant assistance with the environmental review process, pursuant to the California Environmental Quality Act (CEQA), associated with the Westside and Southwest Gateway Annexations and subsequent residential development by Frontier Community Builders (FCB Homes). The following discussion details LSA's understanding of the proposed project, provides a brief description of our project team, outlines the work program that we will undertake, and provides a preliminary schedule and a cost estimate.

#### **A. PROJECT UNDERSTANDING**

This EIR would analyze the annexation and development of two separate projects:

- The Westside Project, and
- The Southwest Gateway Project.

Both of these project sites are currently within San Joaquin County and within the City of Lodi's Sphere of Influence.

The Westside Project property is comprised of four separate parcels on the City's western boundary, located west of Lower Sacramento Road and north of Vine Street as shown in Figure 1. Sargent Road bisects the project site in an east/west direction. The properties are located at 70, 212, 315, and 402 East Sargent Road and total 151.74 acres. The portion of the project site north of Sargent Road is vacant land and the three parcels south of Sargent Road are irrigated vineyards.

The Westside Project area will be developed with approximately 64.5-acres of low density residential homes, 8-acres of medium density residential homes, and 8-acres of high density residential homes. The area would also include approximately 17-acres for an aquatics center and Elementary School, and 20-acres for a Drainage Basin Park for temporary storm water retention. The sizes of the designated land areas would be consistent with the General Plan Growth Management and Housing Elements that recommend residential land development at a ratio of 65 percent low density, 10 percent medium density, and 25 percent high density. The Westside Project area development plans are currently undergoing further refinement and adjustment.

The Southwest-Gateway Project property is comprised of twenty one separate parcels. These parcels are located to the east and west of Lower Sacramento Road, south of Highway 12 and Kettleman Lane, north of Harney Lane, and total 314.8 acres, as shown in Figure 2. The parcels are located at the following addresses: 14101, 14500, 14320, 14620, 13837, 13537, 13589, 14752, 14509, 14499, 14433, and 14195 North Lower Sacramento Road; 252 Highway 12; and 865, 800, 844, 890, 908, 930, 777 East Olive Avenue.

The properties to the east of Lower Sacramento Road would be included in the annexation, General Plan amendment, and rezoning, but would not be developed as part of the project. The area to be developed west of Lower Sacramento Road would be consistent with the General Plan Growth Management and Housing Elements that recommend residential land development at a ratio of 65 percent low density, 10 percent medium density, and 25 percent high density. Additionally, the Southwest Gateway project would include a school, community parks, and a community facility.

## **B. PROJECT TEAM**

LSA will serve as the prime consultant, providing overall project management. Our in-house technical staff will address most of the needed topical analyses. We will also attend all meetings with City staff and other involved agencies/parties, bringing in our technical specialists and/or and subconsultants where appropriate.

As prime consultant, LSA will manage the contract, be responsible for the accuracy and quality of all technical documentation, and represent the team at all public hearings. We will be responsible for preparing the following primary EIR sections (as appropriate):

- Project description.
- Analyses of the following environmental topics: *land use; planning policy; population and housing; noise; air quality; biological resources; public utilities and services; cultural and paleontological resources; and aesthetics.*
- Analysis of project alternatives.
- The CEQA-mandated analysis.

The LSA team will be directed and managed by **Lynette Dias, AICP, Principal**, assisted by **Amy Paulsen, Planner**. Ms. Dias will oversee project management, and ensure that all tasks are completed in an efficient, cost-effective and timely manner. Other LSA staff who will work on this project include:

- **Jason Burke, Assistant Planner**, will provide planning, research and technical assistance.
- **Tung-Chen Chung, Ph.D., Principal**, will be responsible for conducting any necessary air quality and noise analysis.
- **Christian Gerike, Principal**, will be responsible for the analysis of cultural and paleontological resources.
- **Rick Harlacher, Principal**, will be responsible for the biological resources analysis.

We will be supported by one subconsultant selected for their technical skills and ability to meet deadlines and budgets:

- **Fehr and Peers, Brian Welch**, will be responsible for the traffic analysis.

## C. PROPOSED WORK PROGRAM

This section details the work program that LSA will undertake to complete an Environmental Impact Report (EIR) for the annexation and development of the project sites in compliance with CEQA. Table 1 provides a summary of the proposed work program. Since LSA is also undertaking the contract planning for this project it is assumed that attendance at meetings and hearings will be invoiced under our contract planning

### Task A. Base Maps Preparation

A base map of the project sites and vicinity will be prepared by LSA. The project site base maps will be used to illustrate street/highway and lot layouts in the vicinity of the project sites, the project sites' relationship to surrounding land uses, and General Plan and Zoning designations. The base maps will also be available for use during meetings and presentations.

### Task B. Data Gathering and Evaluation

Existing data and analyses applicable to the project sites and vicinity will be collected and evaluated. As part of this task, LSA will contact responsible or potentially-affected agencies to identify concerns about the proposed projects and to clarify the scope of the analysis that will be desired by these agencies.

### Task C. Notice of Preparation

LSA will prepare a Notice of Preparation (NOP) for distribution. The NOP will not include an Initial Study; it will include information on the Lead Agency and Applicant, introduction to the CEQA process, project location, brief project description, and list the environmental issues to be analyzed in the EIR. Following the 30-day NOP review period, LSA will review all comments received on the NOP and make recommendations for any necessary scope and budget refinements.

### Task D. Prepare Project Descriptions

LSA will prepare the project descriptions based on the application materials provided by FCB Homes. This document will include a description of the project sites and vicinity, project objectives, details of the proposed project, its envisioned phasing, the approval process, and development schedule. A draft of the project description will be submitted for review and comment prior to undertaking any impact analysis.

Table 1: Work Program Summary

TASK A.	BASE MAPS PREPARATION
TASK B.	DATA GATHERING AND EVALUATION
TASK C.	NOTICE OF PREPARATION
TASK D.	PREPARE PROJECT DESCRIPTION
TASK E.	SCOPING SESSION
TASK F.	SIGNIFICANCE CRITERIA
TASK G.	SCOPE REFINEMENT
TASK H.	SETTING, IMPACTS AND MITIGATION MEASURES
	1. Land Use and Planning Policy
	2. Traffic and Circulation
	3. Air Quality
	4. Noise
	5. Cultural and Paleontological Resources
	6. Geology, Soils, & Seismicity
	7. Hydrology and Water Quality
	8. Biological Resources
	9. Hazards and Hazardous Materials
	10. Utilities
	11. Public Services
	12. Aesthetics
TASK I.	ALTERNATIVES
TASK J.	CEQA CONCLUSIONS
TASK K.	PREPARE ADMINISTRATIVE DRAFT EIR
TASK L.	PREPARE SCREENCHECK DRAFT EIR
TASK M.	PREPARE PUBLIC REVIEW DRAFT EIR
TASK N.	PREPARE RESPONSES TO COMMENTS DOCUMENT
TASK O.	MITIGATION MONITORING AND REPORTING PROGRAM

### **Task E. Scoping Session**

LSA will hold a public scoping session to receive comments from the community on the scope of the EIR.

### **Task F. Significance Criteria**

LSA will develop a list of significance criteria prior to any impact analysis. These significance criteria will include proposed criteria for each topical issue to be addressed in the EIR.

### **Task G. Scope Refinement**

Following the close of the 30-day NOP review period and public scoping session, LSA will review the comments received and if necessary make recommendations for refinements to the EIR scope.

### **Task H. Setting, Impacts and Mitigation Measures**

The setting, impacts, and mitigation measures documentation for each of the issue areas described below will be incorporated into the EIR. However, as part of the Phase I tasks and Phase II, C, Scoping Session, and in consultation with City staff, we may decide that one or more of these topics may be focused out. LSA will provide a discussion of any of the topics that are focused out in the CEQA conclusions section of the EIR (see Task II.G below).

This analysis will clearly describe the affected environment and the environmental consequences of implementation of the proposed project. Where relevant, impacts will be separately identified by their occurrence during either the *construction* or *operation* periods. A set of feasible mitigation measures (as well as the residual impacts or effects of each measure) will be identified.

#### **1. Land Use and Planning Policy**

This section of the EIR will evaluate the consistency of the proposed project with applicable land use planning and regulatory policies. It is anticipated that several policy documents will be relevant to the proposed project. Some of the documents that LSA will consider include:

- City General Plan
  - County General Plan
  - Municipal Code, including the Zoning Ordinance
  - Miscellaneous applicable local, regional, State, or federal plans and policies (e.g., local Congestion Management Plan, air quality attainment/maintenance plan or State Implementation Plan, and regional transportation plans).
- a. **Setting.** Based on information from the City, background documents, and a site visit, LSA will complete the following tasks:
- **Identify existing land uses.** Existing on-site and surrounding land uses (extending to an area about ¼ mile outside the project boundaries) will be described. The site will also be described in the context of overall local land use trends in the City of Lodi and surrounding areas. Projects planned in the site vicinity that are likely to be constructed in the foreseeable future will also be described as part of this task.

- **Map existing site conditions.** Existing access to the project site, circulation, and other unique resources will be described and graphically mapped.

**b. Consistency Analysis.** The analytical portion of this section will evaluate the proposed project in light of the relevant plans and policies. Any policy inconsistencies and potential planning conflicts will be identified in a table format, and the potential policy conflicts will be described in greater textual detail. Under CEQA, policy conflicts in and of themselves (in the absence of direct physical effects) are not considered to have a significant effect on the environment, and will therefore be differentiated from impacts described in the other topical sections of the EIR. Any physical impacts associated with policy conflicts will be addressed in the appropriate technical sections of this chapter (e.g., Air Quality, Noise).

Since policy inconsistencies are not considered a significant impact, mitigation measures will not be included in this section. However, if necessary, LSA will make recommendations regarding project changes that may be necessary to reconcile any identified plan or policy inconsistencies that would not be reconciled by the project as initially proposed by the applicant.

**c. Impacts.** Potential land use impacts that may be associated with the project will be evaluated and described, as outlined below:

- **Evaluate land use compatibility.** The compatibility of the proposed land uses with existing area land uses will be evaluated and described.
- **Assess potential secondary land use impacts.** Potential secondary land use impacts, such as increased traffic and stormwater from the proposed uses, will be considered, described and referenced to other sections of the EIR, as appropriate.

## **2. Traffic and Circulation**

The traffic analysis will be conducted by Fehr and Peers. A detailed work scope is provided in Appendix A.

## **3. Air Quality**

This air quality analysis will address local and regional impacts on sensitive land uses. The project site is located within the City of Lodi's sphere of influence in San Joaquin County, within the San Joaquin Valley Air Basin (Basin). The air quality issues specific to the City of Lodi area, San Joaquin County and the San Joaquin Valley Air Pollution Control District (SJVAPCD) air quality planning programs and procedures included in the SJVAPCD's Guide for Assessing and Mitigating Air Quality Impacts (SJVAPCD, January 2002) will be evaluated. LSA will prepare a technical air quality analysis consistent with all applicable procedures and requirements, including the following tasks.

- a. Setting.** LSA will document existing air quality conditions; the following tasks will be completed:
- **Obtain and describe air quality monitoring data.** Baseline and project setting meteorological and air quality data developed through the California Air Resources Board (ARB) and climatological and air quality profile data gathered by the SJVAPCD will be utilized for the description of existing ambient air quality. Most recent published air quality data from the



Stockton air quality monitoring stations for the past three years will be included to help highlight existing air quality in the vicinity of the project site. Other sources such as regulatory documents, professional publications, and past LSA experience in the project area will supplement background information.

**b. Impacts.** The impact analysis for the project will consider both construction-period and operational-period impacts, as described below.

- **Assess project operation-period impacts.** The proposed residential units, park, and schools have the potential to generate new vehicular trips within the basin. Emissions associated with long-term operations from vehicle trips will be calculated with the ARB's URBEMIS 2002 model. Project trip generation and other data included in the traffic study will be used. In addition, emissions associated with stationary sources, such as on-site energy consumption, will be estimated with the URBEMIS 2002 model.
- **Describe construction procedures to minimize air quality impacts.** The fugitive dust and equipment exhaust emissions generated during the grading and construction of the proposed areas will be calculated, based on available project information. Mitigation measures to reduce these emissions will be recommended, if necessary.
- **Assess carbon monoxide (CO) hot spots.** Local carbon monoxide (CO) hot spot analysis will be conducted at up to six intersections within the vicinity of each project area (twelve intersection in total), with the CALINE4 model and using peak hour turn volumes and other data from the traffic study.

**c. Mitigation Measures.** LSA will work with the SJVAPCD and the City of Lodi, if necessary, to identify feasible mitigation measures. Mitigation measures will be developed as indicated by the impact analysis.

#### 4. Noise

LSA will prepare a technical noise analysis that will identify the potential impacts on on-site and off-site sensitive land uses. The tasks for the noise assessment will be completed by LSA as described below.

**a. Setting.** The following tasks will be completed as part of the noise setting:

- **Noise and land use compatibility criteria.** Applicable State of California, County of San Joaquin, and City of Lodi noise and land use compatibility criteria will be identified.
- **Existing noise.** Existing sources of noise in the proposed project area, such as traffic and aircraft noise, will be identified.
- **Ambient noise monitoring.** Short-term ambient noise monitoring will be conducted at up to six locations within the vicinity of each project site (for a total of twelve locations) to establish the existing noise environment.

**b. Impacts.** The following steps will be completed as part of the noise impact analysis:

- **Assess short-term construction impacts.** Noise impacts from construction of proposed residential units, park, and schools will be analyzed based on the available project specific construction information provided to LSA. EPA recommended noise emission levels will be used

for the construction equipment. The construction noise impact will be evaluated in terms of maximum levels (Lmax) and/or hourly equivalent continuous noise levels (Leq) and their frequency of occurrence. Analysis requirements will be based on the sensitivity of the project area and City of Lodi and/or County of San Joaquin noise ordinance specifications.

- **Project and cumulative vehicle impacts.** Noise impacts from project specific and cumulative vehicular traffic trips will be assessed using the U.S. Federal Highway Traffic Noise Prediction Model (FHWA-RD-77-108, December 1978). Model input data (provided by others) include average daily traffic levels, day/night percentages of autos, medium and heavy trucks, vehicle speeds, ground attenuation factors, and roadway widths. Future Community Noise Equivalent Level (CNEL) along selected roadway segments, based on the traffic study prepared for the project, will be provided in a table format to show the distance/contour relationship. Noise impacts on on-site and off-site sensitive land uses from traffic will be assessed.
  - **Aircraft noise impacts.** Noise impacts from aircraft operations associated with the Stockton Metropolitan Airport on the proposed on-site sensitive land uses will be assessed.
  - **Stationary source impacts.** Noise impacts from project specific stationary sources, such as the proposed park and schools, will be assessed qualitatively for potential noise impacts on adjacent noise sensitive uses.
- c. **Mitigation Measures.** Mitigation measures designed to reduce short- and long-term impacts to acceptable noise levels will be identified where necessary. Both an evaluation of the potential mitigation measures and a discussion of their effectiveness will be provided.

## 5. Cultural and Paleontological Resources

LSA will conduct cultural and paleontological resource studies, prepare a technical report, and prepare the cultural/paleontological resources section of the EIR for the combined 432.5-acre Westside/Southwest Gateway Annexation Project (project), Lodi, San Joaquin County, California. The cultural resources study will be conducted in accordance with the California Environmental Quality Act (CEQA), the California Register of Historical Resources (California Register), and the City of Lodi General Plan. The cultural resources study will identify project area cultural resources that may meet the CEQA definition of historical or archaeological resources, and will provide recommendations to avoid or reduce potential project-related impacts to such resources. The paleontological resources study will identify paleontological resources that may be significant, and will provide recommendations to avoid or reduce potential project-related impacts to such resources. The results and recommendations of the cultural and paleontological studies will be presented in one technical report, and will be addressed in one cultural resources EIR section.

- a. **Setting.** The following tasks will be completed as part of the setting section:

### Cultural Resources

- **Archival and background research.** The archival and background research will be done to (1) identify previously recorded cultural resources and previously conducted cultural resource studies in or adjacent to the project area; (2) assess the likelihood of unrecorded cultural resources within or adjacent to the project area based on archaeological, ethnographic, and historical information, as well as the distribution of nearby cultural resources; and (3) obtain information for the cultural settings portion of the report and EIR section. LSA will conduct a cultural resource records

search at the Central California Information Center of the California Historical Resources Information System, California State University, Sacramento. The CCIC, an affiliate of the California Office of Historic Preservation, is the official state repository of cultural resources reports and records for San Joaquin County.

Cultural resource inventories will be reviewed to determine if these inventories list any cultural resources within or adjacent to the project area. These inventories include the *California Inventory of Historic Resources* (California Department of Parks and Recreation 1976), and the Office of Historic Preservation's *Five Views: An Ethnic Historic Site Survey for California* (1988), *California Historical Landmarks* (1996), *California Points of Historical Interest* (1992), and the *Directory of Properties in the Historic Property Data File* (which contains the listings of the National Register of Historic Places, California Register of Historic Resources, California Historical Landmarks, and California Points of Historical Interest). Cultural resource inventories maintained by the City of Lodi and County of San Joaquin will be reviewed for the project area and adjacent lands.

In addition to the archival search, LSA staff will review archaeological, ethnographic, historical, and environmental publications and maps to identify cultural resources in or adjacent to the project area.

- **Interested party consultation.** The Native American Heritage Commission (NAHC) in Sacramento will be requested to review their sacred lands file to determine if the project area contains any cultural resources or areas of Native American concern. LSA will contact the San Joaquin County Historical Society and Museum and the Lodi Historical Society for any information or concerns they may have about the proposed project.
- **Project area field survey.** A pedestrian field survey will be conducted to identify cultural resources in both portions of the project area.
- **California Register evaluation determination.** LSA will determine if the existing buildings and structures over 45 years of age in the project area will require formal California Register eligibility evaluations. LSA understands that the existing buildings and structures consist of three discrete farm complexes in the project area. LSA will conduct a field review (concurrently with the field survey) of the existing buildings and structures to determine if they may meet the age and historical integrity requirements for California Register eligibility. The field review will identify those buildings and structures that require additional study to determine if they constitute historical resources under CEQA. *If additional study is required, a separate scope and cost estimate will be provided to augment this scope.*

### Paleontological Resources

- **Archival and background research.** A fossil locality search will be conducted using the Berkeley Natural History Museum online database, specifically the data from the University of California Museum of Paleontology (UCMP). This locality search will: (1) identify previous surveys and known paleontological sites in and near the project area; and (2) identify the types of fossils that might be expected in and adjacent to the project area based on the existing paleontological and geological data.

A pre-field literature and map review will be completed to: (1) identify locations where paleontological resources are known to occur; and (2) identify the geological formations and

paleontological resources that may occur in the project area. Relevant documents will be reviewed as necessary at LSA and at the University of California at Berkeley Bioscience and Natural Resources Library and the Earth Sciences and Maps Library.

- *Project area field review.* A pedestrian field review of the project area will be done.

### **Technical Report**

- *Technical report.* LSA will prepare a cultural and paleontological resources technical report to document the study methods, results, and provide management recommendations. If additional study of the existing buildings and structures in the project area is required, the results of this study can be combined in the technical report, or can be presented as a stand-alone evaluation report. The report will also include (1) a preliminary evaluation (which will include the needs assessment) of any cultural or paleontological resources in the project area; (2) recommendations for mitigating project impacts to cultural or paleontological resources that may be significant; and (3) recommendations for the treatment of unidentified cultural or paleontological resources that may be discovered during construction.

**b. Impacts.** Based on the technical report, LSA will prepare a cultural resources section for inclusion in the project EIR. The cultural resources portion of the EIR section will: (1) provide a brief overview of the cultural setting of the Lodi area; (2) provide a summary of the City's cultural resource regulations (if applicable); (3) identify potentially significant impacts to cultural resources that may result from project implementation; and (4) provide mitigation recommendations to avoid, reduce, or minimize, when possible, significant impacts (if any) to cultural resources.

The paleontological resources portion of the EIR section will: (1) provide a brief overview of the paleontological setting of the project area; (2) provide a summary of the City's paleontological resource regulations (if any); (3) identify potentially significant impacts to paleontological resources that may result from project implementation; and (4) provide mitigation recommendations to avoid, reduce, or minimize, when possible, significant impacts (if any) to paleontological resources.

## **6. Geology, Soils and Seismicity**

LSA will prepare an analysis of potential project impacts related to geology and soils based on the Geotechnical Report prepared by the applicant's geologist. The analysis will describe the existing geologic setting of the site, evaluate potential impacts in comparison to significance criteria, and draft practical mitigation measures to mitigate all identified significant impacts, where appropriate.

**a. Setting.** The description of existing conditions at the project site will rely on information from site-specific geotechnical investigations completed at the project site (including the geotechnical report prepared by the applicant's geologist), supplemented with regional geologic information. The following tasks will be completed:

- *Describe geologic conditions.* Regional and site-specific geologic conditions for the project site will be described.
- *Describe soil conditions.* Soil conditions (including liquefaction hazards and shrink-swell potential) at the project site will be described on the basis of site-specific geotechnical investigations.

- **Identify seismic sources.** Potential sources of regional earthquakes will be evaluated and expected levels of seismic shaking (and related potential for ground failure) at the project site will be described.
- b. **Impacts.** Potential impacts for the project will be evaluated based on applicable significance criteria. The following tasks will be completed as part of the impacts analysis:
  - **Describe seismic impacts.** Potential seismic impacts related to the proposed project, including seismic shaking, will be described. Fault rupture is not expected since no identified active faults cross the project sites.
  - **Describe geotechnical impacts.** Potential impacts related to geotechnical soil properties, such as liquefaction, differential compaction, lateral spreading, and slope stability will be assessed.
- c. **Mitigation Measures.** Practical mitigation measures will be drafted that will reduce or eliminate any identified potential impacts related to geologic, soils, or expected seismic conditions.

## 7. Hydrology and Water Quality

LSA will prepare the hydrology and water quality analysis for incorporation into the EIR based on a hydrologic and drainage study to be provided by the project applicant. The analysis will describe the existing hydrologic setting of the site, evaluate potential impacts resulting from the project, and include a discussion of practical mitigation measures to mitigate all significant impacts, as appropriate.

- a. **Setting.** The following tasks will be completed as part of the setting section:
  - **Describe hydrologic conditions.** The regional and site-specific hydrologic and storm drainage conditions for the vicinity of the project site will be described. This description will include an identification of receiving waters and existing storm drain infrastructure.
  - **Describe existing water quality conditions.** Based on existing information, the surface and groundwater quality in the vicinity of the site will be described. In addition, water quality-related observations made during the site reconnaissance will be summarized.
  - **Describe requirements of existing stormwater regulations.** The regulatory framework for stormwater quality, including federal, State, and local plans, laws, and regulations, will be described. Any City of Lodi ordinances or regulations related to stormwater will be described in detail.
- b. **Impacts.** Potential impacts for the project will be evaluated using significance criteria. The following subtasks will be completed as part of the impact analysis:
  - **Evaluate changes in runoff volume.** Construction of buildings and roads would increase the amount of impervious areas and potentially increase runoff volume from the site. This potential impact will be described qualitatively.
  - **Describe potential degradation of water quality.** During project construction, stormwater runoff could potentially be affected by erosion, potentially impacting the function of the vernal pools. Discharge of urban pollutants (petroleum hydrocarbons and heavy metals from automobile use) from proposed roads and driveways at the site may be considered a significant impact of the project.

c. **Mitigation Measures.** Practical mitigation measures will be drafted that will reduce or eliminate any identified potential impacts related to hydrology and storm drainage.

## 8. Biological Resources

LSA will perform the work necessary to characterize the biological resources and any jurisdictional waters occurring on the properties, and provide an evaluation of potential project impacts. The properties are in agricultural use; consequently, the potential for sensitive biological resources is reduced.

LSA will evaluate available information regarding site conditions and special status species that may potentially occur on the sites or in the project vicinity. This will require both literature review and field investigations. Through this work, LSA will establish a baseline of biological resources present on the properties, including potential sensitive species and habitats, and evaluate the effects of the proposed development on the resources present.

a. **Setting.** The following tasks will be completed as part of the setting section:

- **Literature Review.** Prior to initiating field investigations, LSA will review any information compiled during previous studies on the project sites or vicinity. We will review current California Natural Diversity Data Base and California Native Plant Society records and on-line lists of special status species provided by the US Fish and Wildlife Service.
- **Field Investigations.** LSA will conduct a general level field survey of the project sites to document the biological habitat types and characteristic species present. The survey will include an evaluation of the overall condition of the habitats, the sites' relationship to surrounding areas, and the potential for wildlife corridors and foraging areas. Characteristic plant and wildlife species observed on the property will be recorded.

We will conduct a single survey for special status plant species should suitable habitats be present on the sites. Since this survey will likely occur in mid to late summer, it may be too late in the season to detect some early occurring species. Consequently, additional surveys may need to be performed next spring to determine if early occurring species are present.

In this area, the western burrowing owl is typically a potential issue. Due to the timing of this project, surveys for burrowing owls will focus on the presence of suitable foraging habitat and burrows. A survey for Swainson's hawk and other nesting raptors will also be performed.

No other surveys for special status species are proposed at this time. Should it be determined through our investigations that other special status species are potentially present on the site or in the vicinity that could be affected by the project, additional detailed surveys may be required in accordance with agency protocols and guidance.

LSA will delineate any areas on the properties potentially meeting Corps of Engineers (Corps) criteria for wetlands. Wetlands associated with irrigation or other farming practices are likely exempt from regulation; however, this should be verified with the Corps. The Corps will require submittal of a delineation report prepared according to Sacramento District minimum standards in order to verify the status of any wetlands or other waters on the site. LSA will prepare a

delineation report, as appropriate, and submit the report to the Corps for verification. LSA will also attend a meeting on the site with the Corps if necessary.

Field work for both biological resources and the wetlands delineation will be scheduled at the earliest possible opportunity following project authorization and will take about four weeks to complete. The wetland delineation report will be completed about four weeks following completion of field work. The biological resources technical report will be completed about eight weeks following completion of field work.

**b. Impacts.** LSA will prepare a biological resources technical report, for incorporation as an Appendix to the EIR, that provides a general evaluation of biological resources, including special status species and habitats, associated with the project area, assesses project impacts on those resources, and recommends mitigation measures, where appropriate. A discussion of habitat types present on the property will be prepared as well as a discussion of common plant and animal species occurring on the site and expected on the basis of the habitats present. A generalized vegetation map will be prepared showing major plant community types as well as the locations of any sensitive biological resources identified. Lists of plant and wildlife species observed on the property will also be included. Project impacts will be identified and the significance of both direct and indirect impacts will be assessed on a project level and cumulative basis.

The project site should be subject to the provisions contained in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Accordingly, impacts from project development will be required to follow the procedures and protocols outlined in the SJMSCP. A major benefit of the SJMSCP is the mitigation strategies that allow payment of a fee (based on impact to habitat type) to offset loss of biological resources. The use of the SJMSCP for the project will be outlined in the EIR and technical report, as well as the specific requirements for meeting the procedures and protocols.

## **9. Hazards and Hazardous Materials**

LSA will analyze potential impacts related to hazardous materials and public health and safety based on the Phase I provided by the project applicant. The analysis will include a description of existing conditions at the project site, an evaluation of potential impacts, and a description of practical mitigation measures to address significant project impacts.

**a. Setting.** The following tasks will be completed to describe the existing conditions related to hazardous materials at the site:

- **Describe regulatory framework and existing conditions.** Baseline will describe the regulatory framework for hazardous materials, including federal, State, and local agencies, laws, and regulations. Additionally, LSA will describe the existing conditions on the project site.

**b. Impacts.** Using data collected for the setting section, LSA will analyze potential significant impacts of the project related to public health and safety. Potential public health and safety impacts will be described and quantified, if possible, and evaluated using significance criteria from the *CEQA Guidelines*. The following tasks will be completed as part of the impacts analysis:

- **Evaluate short-term construction-related impacts.** Potential effects on construction workers, who will have direct contact with soils at the project site, will be evaluated.

- *Evaluate potential effects on future residents and maintenance workers.* Potential health effects of residual contamination on future residents and workers at the site will be evaluated.
- *Evaluate potential conflicts with evacuation and emergency response plans.* Any potential conflicts with existing or proposed evacuation and emergency response plans by the City of Lodi will be described.

c. **Mitigation Measures.** Practical mitigation measures will be developed to address any identified significant impacts to public health and safety. Mitigation measures to address health risks from hazardous material contamination could potentially include the preparation and implementation of a construction risk management plan and the implementation of other administrative and engineering controls following project development.

## 10. Utilities

LSA will work with City staff and representatives of select utilities to develop an approach for analyzing each of these topics. Utilities that we expect to evaluate include: sewer, water, solid waste, telecommunications, electricity and natural gas. Storm drainage issues would be evaluated in the hydrology and water quality section.

a. **Setting.** The following subtasks will be completed in order to develop an understanding of existing capacities and service levels and to determine the ability of each service provider to serve development that may occur under the project.

- *Provide brief project description to facility and/or service providers.* LSA will develop a summary project description and conceptual diagram showing the project, which can then be shared with utility representatives such that they can perform an internal analysis of their ability to meet increased demands for utilities.
- *Obtain input from utility providers.* LSA will solicit and obtain information about existing utilities from the local providers. Utility providers will be asked to respond to the information provided to them.
- *Describe existing public facilities and services.* Based on information provided by each utility provider, LSA will describe existing utilities in the project vicinity. This review may consider issues such as infrastructure capacity and condition, generation, locations, etc.

b. **Impacts.** Development that may occur under the proposed project may result in an increase in demand for the aforementioned utilities. LSA will evaluate impacts on each of these providers. The following subtasks will be completed as part of this analysis:

- *Evaluate impacts related to select utilities.* LSA will assess the needs of the project for expansion of existing utilities and any physical impacts that may result from such expansions.

c. **Mitigation Measures.** The need for coordination among utility providers and the project applicant/developer for onsite or offsite improvements will be addressed to ensure that any potentially significant impacts are mitigated to less-than-significant levels.



## 11. Public Services

LSA will work with City staff and representatives of select facility and service providers to develop an approach for analyzing each of these topics. Public services that we expect to evaluate include: police, fire, schools, parks and recreation, and libraries.

a. **Setting.** The following subtasks will be completed in order to develop an understanding of existing service levels and to determine the ability of each service provider to serve development that may occur under the project.

- *Provide brief project description to facility and/or service providers.* LSA will develop a summary project description and conceptual diagram showing the project, which can then be shared with facility and/or service providers such that they can perform an internal analysis of their ability to meet increased demands for services and facilities.
- *Obtain input from service providers.* LSA will solicit and obtain information about existing utilities and services from the local providers. Facility and service providers will be asked to respond to the information provided to them.
- *Describe existing public facilities and services.* Based on information provided by each public service provider, LSA will describe the existing facilities and services in the project vicinity.

b. **Impacts.** Development that may occur under the proposed project may result in increased demand for the aforementioned public services. LSA will evaluate impacts on each of the service providers. The following subtask will be completed as part of this analysis:

- *Evaluate impacts related to select public facilities and services.* LSA will assess the needs of the project for expansion of existing services and any physical impacts that may result from such expansions.

c. **Mitigation Measures.** The need for coordination among facility and service providers and the project applicant/developer for on- or off-site improvements will be addressed to ensure that any potentially significant impacts are mitigated to less-than-significant levels.

## 12. Aesthetics

LSA will evaluate the proposed project's potential impacts on visual resources, including the aesthetic quality of the sites and their surroundings. LSA will document existing visual conditions at and in the vicinity of the project sites. The sites and their surroundings will be photographed in order to compare existing visual conditions to anticipated future visual conditions occurring after project buildout.

The visual impact analysis will describe and evaluate potential visual impacts associated with the proposed projects. The evaluation will address a variety of visual and aesthetic issues, including, potential view blockage, light and glare, and consistency with public plans and policy regarding visual/urban design quality. Potentially significant visual impacts will be identified and mitigation measures will be recommended, as appropriate.

### Task I. Alternatives

LSA will include three project alternatives. The CEQA-required No Project alternative will be one of

the alternatives. LSA will also develop and evaluate one mitigated alternative if deemed necessary.

According to the *CEQA Guidelines*, alternatives can be evaluated in less detail than the proposed project. The discussion provided will be of sufficient detail to evaluate the benefits and drawbacks of each alternative, and to provide qualitative conclusions regarding the alternatives. Based on this analysis, the Environmentally Superior Alternative will be identified, as required by CEQA.

#### **Task J. CEQA Conclusions**

LSA will prepare the appropriate conclusions to fulfill CEQA requirements by providing assessment of several mandatory impact categories including:

- Effects found not to be significant, including a discussion of Mineral Resources;
- Growth-inducing effects of the project;
- Cumulative effects of the project;
- Unavoidable significant environmental impacts; and
- Significant irreversible environmental changes which would be caused by the proposed project, should it be implemented.

#### **Task K. Prepare Administrative Draft EIR**

The information developed in Tasks III-A through III-G will be refined and organized into an Administrative Draft EIR (ADEIR). Five (5) copies of the ADEIR will be submitted to the City of Lodi staff for review and comment. At the end of this review period, LSA will meet with staff to discuss comments received on the EIR.

#### **Task L. Prepare Screencheck Draft EIR**

Working from a single set of consolidated and non-contradictory comments, LSA will amend the EIR. Four (4) copies of the Screencheck version of the Draft EIR will be provided to verify that all requested changes have been made and all appendix materials, references, and final graphics are acceptable.

#### **Task M. Prepare Public Review Draft EIR**

Fifty (50) hard copies and fifteen (15) CD-ROMs of the public review Draft EIR will be produced for public distribution and posting on the City's website. LSA will prepare a Notice of Completion and the Notice of Availability. LSA will work with the City to distribute the EIR and Notice of Completion.

#### **Task N. Prepare Responses to Comments Document**

Following public review of the Draft EIR, the LSA team will formulate responses to comments on the document. The attached budget assumes that LSA will respond to a minimal number of comments. If a substantial volume of comments are received, an adjustment in the budget to cover work beyond the assumed level would be needed.

Five (5) copies of the Administrative Draft Responses to Comments (RTC) Document will be provided to the City of Lodi. LSA will meet with City staff and FCB Homes to discuss comments.

Working from a single set of consolidated and non-contradictory comments, LSA will amend the RTC Document and prepare a Screencheck version. Four (4) copies of the Screencheck version of the RTC Document will be provided to verify that all requested changes have been made and all appendix materials, references, and final graphics are acceptable.

Forty (40) copies of the RTC Document will be prepared for public distribution and review. The RTC Document will consist of an introduction outlining the EIR purpose and contents, the environmental review process, any necessary revisions to the Draft EIR, and copies of comments with responses following each letter or transcript.

#### **Task O. Mitigation Monitoring and Reporting Program**

LSA will prepare an updated Mitigation Monitoring and Reporting Program (MMRP). Ten (10) copies of the Mitigation Monitoring and Reporting Program will be submitted to Lodi staff as an administrative draft for review with the Administrative RTC Document. Once comments are received from Lodi staff, a final MMRP will be prepared.

### **D. PROJECT SCHEDULE**

A preliminary work schedule for preparation and completion of an EIR is shown in Table 2. According to this schedule, LSA will complete an Administrative Draft EIR approximately 8 weeks after receiving authorization to proceed on the environmental documentation.

**Table 2: Proposed Schedule**

Milestone	Duration	Cumulative Weeks
Authorization to Proceed	—	—
Prepare Administrative Draft EIR	8 weeks	8 weeks
Review of Administrative Draft EIR	1 week	9 weeks
Screencheck Draft EIR	1 week	10 weeks
Review of Screencheck Draft EIR	1 week	11 weeks
Prepare, Reproduce and Distribute Draft EIR	1 week	12 weeks
Public Review Period	45 days	19 weeks
Public Hearing on Draft EIR	1 day	—
Administrative Responses to Comments Document	2 weeks	21 weeks
Review of Administrative Responses to Comments Document	1 week	22 weeks
Reproduce and Distribute Final Responses to Comments Document	1 week	23 weeks

### **E. PRELIMINARY COST ESTIMATE**

For completion of the work program set forth above, LSA proposed a total budget of \$216,505. A \$21,651 contingency fund is also proposed. The contingency fund would require written staff authorization to use. A detailed budget is provided in Table 3.

**Table 3**  
**Westside and Southwest Gateway Annexations and Development Projects EIR Cost Estimate**

TASKS	Principal-in-Charge (Dias)	Planner (Paulsen)	Biological Resources (various)	Cultural Resources (Genke)	Cultural Resources (various)	Cultural Resources (Matzen)	Noise/Air Quality (Lay)	Word Processing	Graphics/Production	LSA Total	Project Manager (Welch)	Senior Planner	Engineer	Support	Fehr and Peers Total	Team Total
Hourly Rate:	\$170.50	\$88	\$95	\$125	\$70	\$65	\$105	\$85	\$85		\$160	\$125	\$85	\$80		
<b>PHASE I. PROJECT INITIATION AND MANAGEMENT</b>																
A. Base Map Preparation	2								5	\$766					\$0	\$766
B. Data Gathering and Evaluation	2	6	50		30	10	20			\$10,469	16	8	24	6	\$6,080	\$16,549
C. Notice of Preparation	2	4						2	4	\$1,203					\$0	\$1,203
D. Prepare Project Description	3	16						1	8	\$2,685					\$0	\$2,685
E. Scoping Session	6	6								\$1,551					\$0	\$1,551
F. Significance Criteria		1						1		\$173	2	4			\$820	\$993
G. Scope Refinement	4	2								\$858					\$0	\$858
<b>H. Settings, Impacts and Mitigation Measures</b>																
1. Land Use and Planning Policy	1	20						2	8	\$2,781					\$0	\$2,781
2. Traffic and Circulation*	6	4						3	6	\$2,140	60	104	115	74	\$38,295	\$40,435
3. Air Quality	1	4					56	3	4	\$6,998					\$0	\$6,998
4. Noise	1	4					66	3	2	\$7,878					\$0	\$7,878
5. Cultural and Paleontological Resources	1	4		20	163	24		2	10	\$17,013					\$0	\$17,013
6. Geology, Soils and Seismicity	1	16						3	2	\$2,004					\$0	\$2,004
7. Hydrology and Water Quality	4	30						3		\$3,577					\$0	\$3,577
8. Biological Resources	2	10	140					2	2	\$14,861					\$0	\$14,861
9. Hazards and Hazardous Materials	1	16						3		\$1,834					\$0	\$1,834
10. Utilities	2	14						1		\$1,658					\$0	\$1,658
11. Public Services	2	20						1		\$2,186					\$0	\$2,186
12. Aesthetics	4	8						2	6	\$2,066					\$0	\$2,066
I. Alternatives	4	18						2	8	\$3,116	4	8	16	2	\$3,160	\$6,276
J. CEQA Conclusions	2	8						2		\$1,215					\$0	\$1,215
K. Prepare Administrative Draft EIR	10	20						16	22	\$6,695					\$0	\$6,695
L. Prepare Screencheck Draft EIR	8	14						12	16	\$4,976					\$0	\$4,976
M. Prepare Public Review Draft EIR	6	12						10	12	\$3,949					\$0	\$3,949
<b>N. Prepare Responses to Comments Document</b>																
1. Administrative Draft Responses to Comments Document	12	24						16	12	\$6,538	20				\$3,200	\$9,738
2. Screencheck Responses to Comments Document	6	12						12	10	\$3,949	4				\$640	\$4,589
3. Final Responses to Comments Document	4	10						10	8	\$3,092					\$0	\$3,092
O. Mitigation Monitoring and Reporting Program	2	4						3	2	\$1,118					\$0	\$1,118
Total Hours	99	307	190	20	193	34	142	115	147	\$117,346	106	124	155	82	\$52,195	
<b>TOTAL COST OF LABOR</b>	<b>\$16,880</b>	<b>\$27,016</b>	<b>\$18,050</b>	<b>\$2,500</b>	<b>\$13,510</b>	<b>\$2,210</b>	<b>\$14,910</b>	<b>\$9,775</b>	<b>\$12,495</b>	<b>\$117,346</b>	<b>\$16,960</b>	<b>\$15,500</b>	<b>\$13,175</b>	<b>\$6,560</b>	<b>\$52,195</b>	<b>\$169,541</b>

<b>MISC. COSTS</b>																
Communications																\$400
Traffic Counting Program																\$25,200
Maps, Plans, and Reports																\$1,950
Graphic Reproduction and Photographic Products																\$1,900
Report Printing																\$8,500
Handling Fee (10% of reimbursable costs and subconsultant fees)																\$9,015
<b>TOTAL MISCELLANEOUS COSTS</b>																<b>\$46,965</b>

<b>TOTAL TEAM COSTS</b>	<b>\$216,505</b>															
-------------------------	------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

<b>CONTINGENCY</b>																
Contingency Funds**																\$21,651



June 8, 2005

Lynette Dias, AICP  
Principal  
LSA Associates, Inc.  
2215 Fifth Street  
Berkeley, CA 94710

**Re:    *Proposal for Lodi Annexations EIR***

Dear Ms. Dias:

Fehr & Peers is pleased to submit this proposal to prepare the transportation analysis for the City of Lodi Annexations Environmental Impact Report (EIR), located north of Harney Lane, generally west of Lower Sacramento Road, and south of the W.I.D. Canal along the City's current western boundary. This scope of work is based on discussions with City of Lodi staff, including precedent established in previous City of Lodi EIRs. The following describes our proposed scope of work, fee estimate, and schedule to complete the study.

#### **SCOPE OF WORK**

##### ***Task 1 – Existing Conditions***

A total of 33 study intersections will be evaluated, based on discussions with City staff. Those identified as City will be counted by City staff, while all others will be counted by the Fehr & Peers. The following intersections will be included in the analysis:

- (1) Lodi Avenue at Ham Lane, City
- (2) Kettleman Lane (SH 12) at Ham Lane
- (3) Kettleman Lane at Crescent Avenue
- (4) Harney Lane at Ham Lane, City
- (5) Turner Road at Lower Sacramento Road, City
- (6) Elm Street at Lower Sacramento Road, City
- (7) Sargent Road at Lower Sacramento Road, City
- (8) Tokay Street at Lower Sacramento Road, City
- (9) Vine Street at Lower Sacramento Road, City
- (10) Kettleman Lane (SH 12) at Davis Road
- (11) Kettleman Lane at Westgate Drive
- (12) Kettleman Lane at Lower Sacramento Road
- (13) Sunwest Market Place at Lower Sacramento Road, City
- (14) Kettleman Lane at Tienda Drive
- (15) Kettleman Lane at Mills Avenue
- (16) Kettleman Lane at Hutchins Street
- (17) Harney Lane at Hutchins Street, City
- (18) Harney Lane at Lower Sacramento Road, City
- (19) Armstrong Road at Lower Sacramento Road, City
- (20) Armstrong Road at Davis Road, City
- (21) Turner Road at SR 99 NB ramps
- (22) Turner Road at SR 99 SB ramps

- (23) Kettleman Lane (SH 12) at Church Street
- (24) Kettleman Lane at Stockton Street
- (25) Kettleman Lane at Central Avenue
- (26) Kettleman Lane at Cherokee Lane
- (27) Kettleman Lane at SR 99 NB ramps
- (28) Kettleman Lane at SR 99 SB ramps
- (29) Harney Lane at Stockton Street, City
- (30) Harney Lane at SR 99 NB ramps
- (31) Harney Lane at SR 99 SB ramps
- (32) Armstrong Road at SR 99 NB ramps
- (33) Armstrong Road at SR 99 SB ramps

All traffic counts will include pedestrian and bicycle activity, and data will be collected at each intersection for two time periods: 7:00 – 9:00 AM and 4:00 – 6:00 PM. Fehr & Peers will (1) provide a sketch of lane geometry for each intersection; (2) complete a video of each corridor; (3) download and process all data, including City-collected data; and (4) summarize all intersection data in a consistent format.

Using the collected data and the Transportation Research Board's (TRB) 2000 *Highway Capacity Manual* method, the existing AM and PM peak hour level of service (LOS) at each intersection will be determined. Peak hour signal warrant analyses will be conducted for the unsignalized intersections using the *Manual of Uniform Traffic Control Devices* (MUTCD, December 2000) warrant criteria, restricted to those warrants that can be calculated using peak hour turning movement data. State Route 99 analysis will be limited to the ramp terminal intersections described above; no freeway mainline data will be collected or analyzed.

#### ***Task 2 – Significance Criteria***

Fehr & Peers will adhere to the transportation/traffic significance criteria documented in the 2004 *California Environmental Quality Act (CEQA) Guidelines*. More specifically, whenever possible, we will identify feasible mitigation measures to achieve LOS C at study intersections. However, impacts will be considered significant and unavoidable only if LOS D cannot be achieved through mitigation. We will develop additional criteria for other modes, as needed, in consultation with the City of Lodi and the EIR consultant team. The criteria will be based on policy direction of the City's General Plan and other adopted documents.

#### ***Task 3 – Trip Generation and Distribution***

The project, for purposes of CEQA, consists of the both the Westside Annexation and the Southwest Gateway Annexation. The EIR traffic and circulation section will document trip generation *separately* for each of these annexation areas, and will be estimated based on the most recent published rates from the Institute of Transportation Engineers (ITE). We will estimate the trip distribution of project traffic under existing plus approved plus project and cumulative plus project conditions using both the City's judgment and the San Joaquin County Council of Governments (SJCOG) travel demand forecasting model (SJCOG model). These assumptions will be submitted to City of Lodi staff for review and comment prior to completing the impact analysis.

#### ***Task 4 – Impact Analysis***

The impact analysis will be conducted for the following conditions:

- No Project
- Existing Plus Westside Annexation
- Existing Plus Southwest Gateway Annexation
- Existing Plus Both Annexations
- Cumulative Plus Both Annexations

For cumulative conditions, the most current version of the SJCOG model will be used to ascertain horizon-year (2020, 2025, or 2030) AM and PM peak-hour cumulative (non-project) turning movement forecasts for the study intersections. No new model runs are included in this exercise. The land uses assumed for the annexation areas in the current SJCOG model will be mathematically removed from the model results to avoid double-counting project traffic under cumulative plus project conditions.

For the plus project scenarios, we will develop a TRAFFIX model to trace the generation, distribution, and assignment of project trips through each study intersection based on the assumptions approved described in Task 3. The SJCOG model will be used for overall project trip distribution patterns, but will not be used for the final assignment project traffic.

In each case, the AM and PM peak hour intersection levels of service will be computed using the 2000 *Highway Capacity Manual* (HCM) method. Peak hour signal warrant analyses will be conducted for the unsignalized intersections using MUTCD warrant criteria, restricted to those warrants that can be calculated using peak hour turning movement data. Impacts to State Route 99 will be limited to the study intersections identified in Task 1. Mitigation measures will be identified for impacts that exceed the LOS C and LOS D thresholds established in the significance criteria. Each annexation area's proportionate share of identified intersection and roadway improvements will be calculated.

Project impacts will be assessed for transit, bicycle, and pedestrian facilities by evaluating the proposed project against the policy conformity criteria established in Task 2. This analysis will be completed for the Cumulative Plus Both Annexations scenario. Mitigation measures will be identified for impacts that exceed the established thresholds.

#### ***Task 5 – Alternatives Analysis***

One project alternative will be evaluated. The quantitative analysis will be based on one set of alternative land use assumptions for the two annexation areas together, and will consist of a comparison of the trip generation (AM and PM peak hour) to the Existing Plus Both Annexations scenario.

#### ***Task 6 – Documentation***

The following documents will be prepared:

- Technical Memorandum summarizing the proposed trip generation and distribution assumptions
- Technical Memorandum documenting the traffic forecasts under each scenario to expedite the air quality and noise analyses
- Transportation and circulation section of the administrative draft EIR
- Transportation and circulation section of the draft EIR

### Task 7 – Meetings

Fehr & Peers will attend up to two meetings throughout the duration of the project, including project team meetings or meetings with City staff. Attendance at up to two public hearings is also included in the project budget.

### Task 8 – FEIR

Fehr & Peers has allocated 24 hours for response to comments on the DEIR. If additional effort is necessary beyond this resource allocation, additional resources will be requested.

### SCHEDULE

The traffic counting program is currently underway, and is expected to be complete by June 10, 2005. Fehr & Peers will complete the ADEIR traffic and circulation section by July 22, 2005 – assuming (1) minimal changes to the scope of work attributable to Notice of Preparation (NOP) comments; (2) a stable project description as of June 10; (3) timely preparation of the CEQA alternative; and (4) signed authorization to proceed by June 10, 2005.

### FEE ESTIMATE

Fehr & Peers will complete the work scope listed above on a time-and-materials basis for a total fee of \$82,895. Note that a significant portion of the budget (\$25,200) is attributable to the traffic counting program, which is currently underway (and nearing completion) based upon previous written authorization. We will submit a budget increase request if it is determined that additional analysis is necessary after comments are received on the Notice of Preparation or if, upon inspection of the detailed SJCOG model forecasts, the model the results are found not to produce reliable estimates of future peak hour intersection turn movements.. A breakdown of the fee estimate, showing the anticipated labor hours for each task, is provided below.

Table 1 Cost Estimate					
Task	Project Manager	Senior Planner	Engineer	Support	Total
1 – Existing Conditions	12	4	12	4	32
2 – Significance Criteria	2	4	0	0	6
3 – Trip Generation/Distribution	4	4	12	2	22
4 – Impact Analysis	16	40	60	30	146
5 – Alternatives Analysis	4	8	16	2	30
6 – Documentation	20	32	40	40	132
7 – Meetings	24	32	15	4	75
8 – FEIR	24				24
Subtotal Hours	106	124	155	82	467
Total Labor Cost	\$16,960	\$15,500	\$13,175	\$6,550	\$52,195
Traffic Counting Program					\$25,200
Other Direct Costs (communication, printing, travel, etc.)					\$5,500
Total Cost					\$82,895

If the terms of this proposal and the attached Standard Terms and Conditions are acceptable, this letter can serve as our contractual agreement. In that case, please return a signed copy of this letter to us.

We look forward to continuing our work with you on this project. If you have any questions, please contact Brian Welch at [bwelch@fehrandpeers.com](mailto:bwelch@fehrandpeers.com), or (303) 296-4300.



Ms. Lynette Dias  
June 8, 2005  
Page 5 of 6



Sincerely,

FEHR & PEERS

*Brian T. Welch*

Brian T. Welch, AICP  
Senior Associate

A handwritten signature of Gerard Walters, consisting of a stylized 'G' followed by 'Walters'.

Gerard Walters  
Principal

ACCEPTED BY:

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_

Date: \_\_\_\_\_

DN05-0083

## STANDARD TERMS AND CONDITIONS

These STANDARD TERMS AND CONDITIONS apply to, and are made part of, the attached letter agreement ("Agreement") by and between FEHR & PEERS ASSOCIATES, INC., a California corporation, ("Consultant"), and the "Client" referenced in the signature block on the Agreement.

WITNESSETH THAT, in consideration of the premises and covenants hereinafter set forth, the parties agree as follows:

1. **Data To Be Furnished.** All information, data, reports, records and maps with respect to the Project which are available to Client and which Client deems reasonably necessary for the performance of work set forth in the Agreement, shall be furnished to Consultant without charge by Client.

2. **Personnel.** Consultant agrees that it will employ, at its own expense, all personnel necessary to perform the services required by this Agreement and *in no event shall such personnel be the employees of Client.* All of the services required hereunder shall be performed by Consultant and all personnel engaged therein shall be fully qualified under applicable federal, state and local law to undertake the work performed by them. Consultant assumes full and sole responsibility for the payment of all compensation and expenses of such personnel and for all state and federal income tax, unemployment insurance, Social Security, disability insurance and other applicable withholdings.

3. **Compensation.** Client shall pay Consultant an amount not to exceed the sum noted in the Agreement as consideration for the services described. Consultant shall submit invoices to the Client monthly. Client agrees to pay the invoices within 30 days of receipt. If payment is not received within 60 days, Consultant may, at its sole discretion, elect to stop work until payments are received. In that case, Consultant will notify Client that work has ceased. Client also agrees to pay all costs, including attorney's fees and court costs, incurred by Consultant to collect on past due invoices.

4. **Ownership of Documents.** The work papers, drawings, photographs and any other written or graphic material, including AutoCad files, hereinafter materials, prepared by Consultant for this Project are instruments of the Consultant's service for use solely with respect to this Project and, unless otherwise provided, the Consultant shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright. The Client shall be permitted to retain copies, including reproducible copies of Consultant's materials for information and reference in connection with the Client's use on the Project. The Client or others shall not use the Consultant's materials on other projects, or for changes to this Project without the express written consent of the Consultant. Submission or distribution of documents to meet official regulatory requirements or for similar purposes in connection with the Project is not to be construed as publication or violation of copyright.

5. **Attorneys' Fees/Arbitration.** In the event that either party brings an action or claim arising out of or in connection with this Agreement, the prevailing party shall be entitled to reasonable and actual attorneys' fees incurred, as well as costs incurred, as well as expert witness fees. Any and all disputes shall be resolved by way of binding Arbitration, which shall take place in San Francisco, California utilizing a single Arbitrator. Arbitration shall take place under the auspices of either the American Arbitration Association or JAMS, at the election of the party commencing Arbitration. The prevailing party shall also be entitled to be reimbursed for any and all Arbitration expenses incurred.

6. **Modification/Termination.** No waiver, alteration, modification or termination of this Agreement shall be valid unless made in writing. This agreement may be terminated for convenience and without cause by either party upon seven days' written notice.

7. **Governing Law.** This Agreement shall be governed by and constructed in accordance with the laws of the State of California.

8. **Entire Agreement.** This Agreement sets forth the entire understanding between the parties as to the subject matter of this Agreement and merges all prior discussions, negotiations, letters of understanding or other promises, whether oral or in writing.